

Local Form 4A

March 2013

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION**

In re:)	Case No. 13-40160
)	
HYDER, SUE CARSWELL)	Chapter 13
)	Our File No: 13677
Debtor(s))	

AMENDMENT TO:

**CHAPTER 13 PLAN, INCLUDING NOTICE OF MOTION(S) FOR VALUATION;
MOTION(S) TO AVOID CERTAIN LIENS; MOTION(S) FOR ASSUMPTION AND
REJECTION OF EXECUTORY CONTRACTS AND UNEXPIRED LEASES; AND NOTICE OF OPPORTUNITY
FOR HEARING ON CONFIRMATION OF THE PLAN INCLUDING ALL MATTERS AS SET FORTH IN THE
PLAN,
FOR CASES FILED ON OR AFTER MARCH 1, 2013**

Check for motions applicable to this plan amendment:

- ☐ Motion to Value Liens Includes Valuation of Property Securing A Claim
☐ Motion to Value Liens includes Valuation of Property Securing A Claim in an Amount Less than the Amount of the Claim
☐ Motion to Avoid Liens § 522(f)
☐ Motion to Assume Executory Contracts(s) and Unexpired Leases
☐ Motion to Reject Executory Contract(s) and Unexpired Leases
☒ No motions applicable to this plan amendment

The Chapter 13 Plan, including certain motions and other provisions, is hereby **amended** as follows:

To reflect current insurance information for the debtor's real properties as follows:

<u>Collateral</u>	<u>Insurance Agent and Address</u>
121 Carswell Pl.	Insurance Service Associates P.O. Box 148 Forest City, NC 28043 Phone No: 828.245.5301 Carrier: Universal Property & Casualty Ins. Co. Policy No: 4204-1300-0058

The debtor further avers that all remaining real properties she owns are undeveloped lots with the exception of 139 Morrow Road on which the debtor's son-in-law, Gary Kiser, has placed a mobile home; however, Mr. Kiser does not pay any lot rent and maintains his own insurance for his residence.

TAKE NOTICE: Your rights may be affected. You should read this amendment to the Chapter 13 Plan carefully, including any motions contained in the amended plan, and discuss them with your attorney, if you have one, in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to confirm the proposed plan of the debtor or debtors ("Debtor") as amended, including any of the motions included in the amended plan, or if you want the Court to consider your views on these matters, then you or your attorney must file with the Court a written objection to confirmation and request for hearing on confirmation at the following addresses:

Cases filed in the **Charlotte, Shelby, or Wilkesboro** Divisions:

Clerk, U.S. Bankruptcy Court, 401 West Trade St., Room 111, Charlotte, N.C. 28202

Cases filed in the **Asheville or Bryson City** Divisions:

Clerk, U.S. Bankruptcy Court, Room 112, 100 Otis Street, Asheville, N.C. 28801

Your objection to confirmation and request for hearing must include the specific reasons for your objection and must be filed with the Court no later than 14 days following the conclusion of the § 341 meeting of creditors, or within 14 days of service of the amendment, whichever is later. If you mail your objection to confirmation to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above. You must also serve a copy of your objection to confirmation on the Debtor at the address listed in the notice of the meeting of creditors. The Debtor's attorney and the Chapter 13 Trustee will be served electronically. If any objections to confirmation are filed with the Court, the objecting party will provide written notice of the date, time, and location of the hearing. No hearing will be held unless an objection to confirmation is filed.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the proposed plan of the Debtor as amended, including any motions contained in the amended plan, and may enter an order confirming the amended plan and granting the motions. **Any creditor's failure to object to confirmation of the proposed plan as amended shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).**

I declare under penalty of perjury that the information provided in the Amendment to Chapter 13 Plan, including Notice of Motion(s) for Valuation; Motion(s) to Avoid Certain Liens; and Motion(s) for Assumption and Rejection of Executory Contracts and Unexpired Leases; are true and correct as to all matters set forth herein.

Dated: June ____, 2013

Debtor's Signature

I hereby certify that I have reviewed this document with the Debtor and that the Debtor has received a copy of this document.



Dated: June 27, 2013

Attorney for the Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION**

IN THE MATTER OF:

NAME: HYDER, SUE CARSWELL

CHAPTER 13 NO. 13-40160

OUR FILE NO. 13677

**ADDRESS: 118 CARSWELL PLACE
BOSTIC, NC 28018**

SSN: --- -- 6756

DEBTOR.

CERTIFICATE OF SERVICE

WILLIAM S. GARDNER, attorney for the debtor(s), hereby certifies to the Court as follows:

1. I am not a party for the foregoing proceeding;
2. I am not less than 18 years of age;
3. I have this day either filed the attached document for service through the Electronic Case

Management System (CM/ECF) or where appropriate, by placing the same on all parties in interest by placing the same in an envelope, first-class mail, postage prepaid, addressed to each person at his dwelling house or usual place of abode or to the place where he regularly conducts his business or profession as follows:

Sue Carswell Hyder
118 Carswell Place
Bostic, NC 28018

Chase Home Finance
P.O. Box 24696
Columbus, OH 43224-4696

And via the Court's Electronic Case Filing System to:

Steven G. Tate, Chapter 13 Trustee
212 Cooper St.
Statesville, NC 28677

Linda W. Simpson, Bankruptcy Administrator
402 W. Trade St., Room 200
Charlotte, NC 28202-1664

4. To the best of my knowledge, information and belief, the parties in interest are not infants or incompetent persons;
5. Service as outlined herein was made within the United States of America.

Dated this the ____ day of June 2013.



William S. Gardner
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